

Dec 20, 2017

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONALD HOLMES,

Defendant.

No. 4:15-CR-6044-SMJ

ORDER OF FORFEITURE

On December 16, 2015, Defendant Donald Holmes pleaded guilty to Counts 1 and 2 of the Information pursuant to a plea agreement with the United States. The Court sentenced Defendant on December 20, 2017.

Count 1 of the Information charged Defendant with Conspiracy to Commit Wire Fraud, in violation of 18 U.S.C. §§ 1343, 1349, for which the United States sought forfeiture of assets pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c). Pursuant to his plea agreement, the Defendant agreed to forfeit to the United States the sum of \$1,000,000.00 U.S. currency, representing the amount of proceeds obtained as a result of the offense.

Accordingly, **IT IS HEREBY ORDERED:**

1. Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), the

1 Defendant shall forfeit to the United States the sum of \$1,000,000.00
2 U.S. currency, which shall be a money judgment representing the
3 proceeds obtained from the conspiracy to commit wire fraud violation
4 alleged in Information, and to which Defendant plead guilty.

5 **2.** Pursuant to 21 U.S.C. § 853(p), the United States may seek forfeiture
6 of any other property of the Defendant up to the value of the forfeitable
7 property listed above.

8 **3.** The United States, the Internal Revenue Service-Criminal
9 Investigation, and/or its agents are authorized to seize this sum,
10 whether held by the Defendant or by a third party, and to conduct any
11 discovery proper in identifying or locating such property, in
12 accordance with Fed. R. Crim. P. 32.2(b)(3).

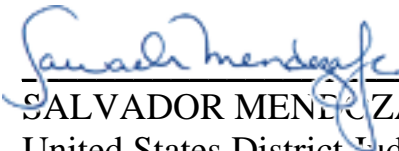
13 **4.** Because the forfeiture consists of a money judgment, no ancillary
14 proceeding is necessary as directed by Fed. R. Crim. P. 32.2(c)(1).

15 **5.** Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B), this Preliminary
16 Order of Forfeiture is final as to the Defendant at the time of
17 sentencing, and is made part of the sentence and included in the
18 judgment.

19 **6.** This Court shall retain jurisdiction to enforce this Order, and to amend
20 it as necessary pursuant to Fed. R. Crim. P. 32.2(e).

1 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
2 provide copies to all counsel.

3 **DATED** this 20th day of December 2017.

4 
5 _____
6 SALVADOR MENDOZA, JR.
7 United States District Judge
8
9
10
11
12
13
14
15
16
17
18
19
20